

**New York State Department of Environmental Conservation**  
**Division of Environmental Remediation, 12<sup>th</sup> Floor**  
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December 22, 2004

Mr. George Pavlou  
Director  
Emergency & Remedial Response Division  
USEPA, Region II  
290 Broadway  
New York, New York 10007-1866

RE: Kraus Enterprises Warehouse  
254 Rano Street/ 21 Isabelle Street  
Buffalo (C), Erie County

U.S. EPA, REGION II  
EMER. & REM. RES. DIV.  
2004 JAN -4 AM 11:39  
DIRECTOR'S OFFICE

Dear Mr. Pavlou:

The New York State Department of Environmental Conservation (NYSDEC) hereby requests that the United States Environmental Protection Agency (USEPA) perform an appropriate CERCLA emergency response action at the Kraus Enterprises warehouse at 254 Rano Street and 21 Isabelle Street in Buffalo, New York.

Kraus Enterprises is the owner of record at the warehouse complex at the above-noted address. During a USEPA Removal Action undertaken at the Aryl Site (Site #UU, one of Kraus's tenants in the facility), the owner submitted a letter dated April 16, 2004, which informed tenants that he was abandoning the property. A written request was made by the NYSDEC on May 18, 2004, to the USEPA to investigate residual wastes not originally part of the removal work they had completed.

In response to NYSDEC's request, the USEPA began preparation of a scope of additional work to investigate subsurface conditions proximal to the Aryl tenancy. A site visit was held with NYSDEC personnel and Kevin Matheis (USEPA), at the Aryl site on December 14, 2004. When entering the site, it was observed that the City of Buffalo issued postings informing tenants to vacate the premises. The site is currently vacant, except for a live transformer and switch area supplying power to additional, adjacent buildings apparently not part of Kraus's property. The facility is extensively deteriorated with weakened walls, roof leaks, asbestos-containing material (ACM), and a notable lack of security.

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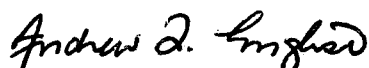


Inside of the vacated Kraus warehouse an estimated 1000+ abandoned containers of paints, solvents, petroleum, and unknown materials were observed in varying sizes (pints, 1-5-30-55 gallon cans/drums) and states of distress. Many containers indicated contents that were corrosive, flammable or toxic. Some spilled materials were observed in several areas of the warehouse, including a large waste pile that had recently been set on fire. A number of compressed gas cylinders were present throughout the site. Hundreds of mercury-containing fluorescent and metal-halide bulbs were stockpiled, with a large number that had been broken. Excessive amounts of abandoned solid waste presents difficulty in accessing some of the aforementioned waste materials.

Additional USEPA emergency response action is requested to identify and dispose of hazardous wastes and to determine what, if any, impacts to soil and groundwater have occurred as a result of spillage.

If you have any questions regarding this request, please contact Mr. Martin Doster, in our Region 9 office in Buffalo, at (716) 851-7220.

Sincerely,



Andrew J. English, P.E.  
Acting Director  
Bureau of Technical Support

cc: B. Sprague - USEPA, Region II, Edison, NJ  
G. Zachos - USEPA, Region II, Edison, NJ  
R. Salkie - USEPA, Region II, Edison, NJ